

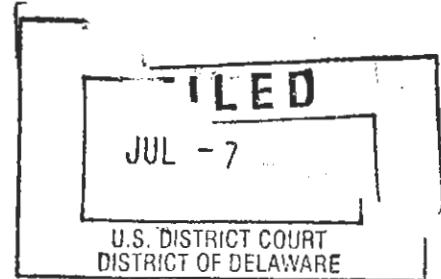
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ORIGINAL

JIMMIE LEWIS,
PLAINTIFF,

v.
R. SYLVIA, STAFF
MEMBERS, THE DELAWARE
PSYCHIATRIC CENTER, AND
MR. GREY,
DEFENDANTS.

CIV. A. NO. 04-1350 (GMS)



MOTION REQUESTING PERMISSION
TO AMEND COMPLAINT

COMES NOW, THE PLAINTIFF JIMMIE LEWIS PRO-SE,
AND REQUEST THIS HONORABLE COURT TO GRANT THE
PLAINTIFF PERMISSION TO AMEND HIS COMPLAINT, IN
ORDER TO CURE DEFICIENCIES. IN SUPPORT THEREOF
THE PLAINTIFF HEREBY ASSERTS THE FOLLOWING:

- 1.) TO INCLUDE VIOLATIONS AGAINST THE PLAINTIFF'S
RIGHT TO FREELY EXERCISE RELIGION AND FREEDOM
OF SPEECH; 1ST AMENDMENT U.S.C.

- 2.) TO INCLUDE VIOLATIONS OF UNREASONABLE SEARCH AND SEIZURES; 4TH AMENDMENT U.S.C .
- 3.) TO INCLUDE VIOLATIONS OF THE PLAINTIFF'S RIGHT TO DUE PROCESS OF LAW; 5TH AMENDMENT U.S.C .
- 4.) TO INCLUDE VIOLATIONS OF THE PLAINTIFF'S RIGHT TO A SPEEDY AND PUBLIC TRIAL AND A FULL AND FAIR IMPARTIAL TRIAL ; 6TH AMENDMENT U.S. C .
- 5.) TO INCLUDE VIOLATIONS OF THE PLAINTIFF'S RIGHT ~~TO~~ AGAINST CRUEL AND UNUSUAL PUNISHMENT; — 8TH AMENDMENT U.S.C .
- 6.) TO INCLUDE VIOLATIONS OF THE PLAINTIFF'S RIGHT TO DUE PROCESS OF LAW; 14TH AMENDMENT U.S.C
- 7.) TO INCLUDE STATEMENT OF FACTS, OF UNCONSTITUTIONAL CONFINEMENT AND TREATMENT.
- 8.) TO INCLUDE RELIEF IN REGARDS TO THE PETITION OF HABEAS CORPUS FILED BY THE PLAINTIFF, SEE ATTACHED EXHIBIT PLAINTIFF'S COMPLAINT.
- 9.) TO INCLUDE REQUEST FOR A JURY TRIAL.
- 10.) TO INCLUDE A REQUEST FOR APPOINTMENT OF COUNSEL .
- 11.) TO INCLUDE A REQUEST FOR DECLATORY JUDGEMENT.
- 12.) TO INCLUDE STATEMENT OF PHYSICAL INJURY.

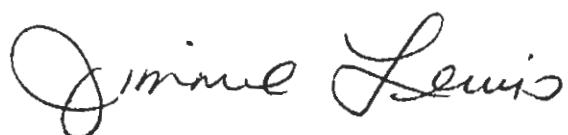
- 13.) TO INCLUDE STATEMENT OF EMOTIONAL DAMAGE.
- 14.) TO REQUEST EXPERT PSYCHIATRIC WITNESSES.
- 15.) TO CLAIM MEDICAL NEGLIGENCE
- 16.) TO REQUEST EXPERT PHYSICIAN.
- 17.) TO INCLUDE CIVIL RIGHT STATUTE.
- 18.) TO INCLUDE ~~STANDARD~~ STATUTORY STATUTES.
- 19.) TO INCLUDE STATEMENTS THAT THE PLAINTIFF HAS BEEN SUBJECTED TO EXTENDED INCARCERATION DUE TO CONSTITUTIONAL VIOLATIONS STATED HEREIN.
- 20.) TO INCLUDE ATYPICAL AND SIGNIFICANT HARDSHIPS AS A RESULT OF BEING ASSULTED, CONFINED AND RESTRAINED WITH (4) POINT RESTRAINTS TO INJECT WITH MEDS.
- 21.) TO INCLUDE STAFF MEMBER TO COMPLAINT ; NURSE HELEN (LAST NAME NOT KNOWN) ; PAT RILEY, ROSE (LAST NAME NOT KNOWN) ; KAREN CHAMBERLIN, DIANE STACHOWSKI, DAVE MOFFITT, MARK DIGGS, FLORENCE SCOTT COBBS, CAUCASIAN - MR. JOHNSON WHO ASSISTED SEVERAL NURSE ASSISTANTS ASSULT - CONFINE - AND RESTRAIN THE PLAINTIFF ON 6/21/04 AT 11:00 P.M., SAGIL, GLORIA BANKS, AFRICAN AMERICAN - MR. JOHNSON WHO ASSISTED SEVERAL NURSE ASSISTANTS ASSULT - CONFINE - AND RESTRAIN THE PLAINTIFF ON 6/21/04 AT 11:00 P.M., DR. KATHRYN SITENEMAN, DR EUGENE LOPEZ.

- 22.) TO INCLUDE COMMON LAW TORT FOR ASSAULT, BATTERY, LIBEL AND SLANDER.
- 23.) TO INCLUDE CRIMINAL OFFENSES FOR ASSAULT 1ST, KIDNAPPING 1ST, KIDNAPPING 2ND, POSSESSION OF A DEADLY WEAPON DURING THE COMMISSION OF A FELONY, ATTEMPTED MURDER, IN ACCORDANCE TO SECTION 18 - U.S.C.A 241 AND 242 STATUTE, ROBBERY 2ND.
- 24.) TO INCLUDE REQUEST FOR POLYGRAPH TESTING.

FOR THE FORGOING REASONS, THE PLAINTIFF TIMMIE LEWIS, REQUEST THAT THIS HONORABLE COURT TAKE INTO CONSIDERATION THE SERIOUSNESS OF THE MANY U.S.C.A VIOLATIONS AND CRIMINAL OFFENSES THAT THE PLAINTIFF IS ALLEGING WERE COMMITTED AGAINST HIM BY THE DEFENDANTS AND STAFF MEMBERS DURING HIS STAY AT THE DELAWARE PSYCHIATRIC CENTER, AND HEREBY GRANTS THE PLAINTIFF'S REQUEST FOR PERMISSION TO AMEND HIS COMPLAINT IN ALL ASPECTS.

RESPECTFULLY SUBMITTED

DATED: JUNE 27, 2005

Timmie Lewis

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,

PLAINTIFF,

v.

CIV. A. NO. 04-1350 (GMS)

DR. SYLVIA FOSTER, STAFF

MEMBERS, THE DELAWARE
PSYCHIATRIC CENTER, AND

MR. GREY,

DEFENDANTS.

ORDER

AND NOW, TO WIT, THIS _____ DAY OF _____, 2005,
HAVING CONSIDERED THE PLAINTIFF'S MOTION REQUESTING
PERMISSION TO AMEND COMPLAINT, AND RESPONSE
THERETO, IF ANY:

IT IS HEREBY ORDERED THAT THE PLAINTIFF'S MOTION
REQUESTING PERMISSION TO AMEND COMPLAINT
HAS BEEN GRANTED.

BY THE COURT:

THE HONORABLE GREGORY M. SLEET

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,
PLAINTIFF,

v.

CIV. A. NO. 04-1350(GMS)

DR. SYLVIA FOSTER, STAFF
MEMBERS, THE DELAWARE
PSYCHIATRIC CENTER, AND
MR. GREY,

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED, DO HEREBY CERTIFY ON THIS 27TH DAY
OF JUNE, 2005 THAT TWO TRUE AND CORRECT COPIES OF
PLAINTIFF'S JIMMIE LEWIS' MOTION REQUESTING PERMISSION
TO AMEND COMPLAINT HAVE BEEN SERVED BY U.S MAIL,
TO THE FOLLOWING:

CYNTHIA G. BEAM, ESQUIRE
DELAWARE STATE BAR I.D. NO 2565
1001 JEFFERSON PLAZA, SUITE 202
WILMINGTON, DE 19801
ATTORNEY FOR DEFENDANT DR. SYLVIA FOSTER

DATED: JUNE 27, 2005

Jimmie Lewis
SBI # 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977